

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

JUN 14 2007

GATHY A. GATTISON, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRIAN WILLIAM ELM,

Defendant - Appellant.

No. 06-10641

D.C. No. CR-05-00053-06-RBL  
District of Guam,  
Agana

ORDER

**FILED**

DISTRICT COURT OF GUAM

JUN 15 2007

MARY L.M. MORAN  
CLERK OF COURT

Before: Peter L. Shaw, Appellate Commissioner.

This court's May 21, 2007 order is vacated to the extent that the appointing authority in Guam was ordered to locate appointed counsel. The appointing authority has requested appointment of counsel from another district.

Accordingly, the Clerk shall serve a copy of this order by facsimile transmission on Sean K. Kennedy, Federal Public Defender, 321 East Second Street, Los Angeles, California 90012-4206 (FAX: (213) 894-0081), who will locate appointed counsel. The district court shall provide this court with the name and address of appointed counsel by facsimile transmission (FAX: (415) 355-8111) within 14 days of locating counsel.

New counsel shall designate the reporter's transcript by August 1, 2007. The transcript is due August 31, 2007. Appellant's opening brief and excerpts of record are due October 1, 2007; appellee's answering brief is due October 31, 2007; and the optional reply brief is due within 14 days after service of the answering brief.

06-10641

The Clerk shall serve a copy of this order by facsimile transmission on Mary L. M. Moran, Clerk of Court, District Court of Guam.

  
General Order 6.3(c)